TO STATES OF LAW AS A STATE OF

DEPARTMENT OF THE NAVY

OFFICE OF THE SECRETARY 1000 NAVY PENTAGON WASHINGTON, DC 20350-1000

SECNAVINST 5420.135E

CORB: 00S 19 Jul 2005

SECNAV INSTRUCTION 5420.135E

From: Secretary of the Navy

Subj: SECRETARY OF THE NAVY COUNCIL OF REVIEW BOARDS

(SECNAVCORB)

Ref: (a) SECNAVINST 5430.7M

(b) Title 10, U.S. Code, Sections 1201-1221

(c) SECNAVINST 1850.4E

(d) Title 10, U.S. Code, Section 1413a

(e) Title 10, U.S. Code, Section 1553

(f) SECNAVINST 5420.174D

(g) SECNAVINST 5815.3J

(h) Title 10, U.S. Code, Sections 953 and 954

(i) Title 10, U.S. Code, Section 952

- 1. <u>Purpose</u>. To state the mission, duties and responsibilities of the Secretary of the Navy Council of Review Boards SECNAVCORB). This instruction is a complete revision and should be reviewed in its entirety.
- 2. Cancellation. SECNAVINST 5420.135D.
- Organization. The SECNAVCORB (formerly the Naval Council of Personnel Boards) is an administrative activity within the Department of the Navy (DON) assigned by reference (a) to the Assistant Secretary of the Navy (Manpower and Reserve Affairs) (ASN(M&RA)) for supervision and support. It is comprised of the Physical Evaluation Board, the Naval Discharge Review Board, the Naval Complaints Review Board and the Naval Clemency and Parole Board. The Director shall be either a Navy or Marine Corps line/unrestricted officer (pay grade 0-6), or a senior member of the civil service (GS-15 equivalent), who is permanently The immediate office of the Director assigned to the Council. is designated a staff field office of the ASN(M&RA). The Director is responsible for all matters pertaining to the Council and its constituent elements, and is the liaison between the ASN(M&RA) and the constituent elements. In the absence of the Director, an Acting Director, who meets the qualifications set forth above for the Director position, shall be designated

by the Director to assume the duties and responsibilities of that position.

- 4. <u>Mission</u>. To administer and supervise assigned component boards.
- 5. <u>Duties and Responsibilities</u>. The Director is assigned overall responsibility for the management, operation, and integrity of all component boards. The Director has the authority to detail to membership on component boards officers permanently assigned to the SECNAVCORB or otherwise made available, and to request necessary alternate officer membership, as required, from the DON. The Director is further authorized to establish an ad hoc board within the Council to review any case referred to the Council by the ASN(M&RA) that does not fall directly within the purview of any component boards comprising the SECNAVCORB. In brief, the functions of component boards are as follows:
- a. Physical Evaluation Board (PEB). Per references (b) and (c), the PEB administers the DON Disability Evaluation System and, on behalf of the Secretary of Navy, makes determinations in individual cases regarding fitness to continue naval service, entitlement to benefits, disability ratings, and disposition of evaluated service members. It is comprised of the Informal Physical Evaluation Board, the Formal Physical Evaluation Board, and the Disability Evaluation System Counselors located at selected major medical centers. The PEB's Combat-Related Special Compensation Branch (CRSC) determines the eligibility and entitlement of former retired Navy and Marine Corps members to Combat-Related Special Compensation per reference (d) and Department of Defense guidance.
- b. <u>Naval Discharge Review Board (NDRB)</u>. The NDRB, acting per references (e) and (f), reviews the characterization of service and reason for discharge or dismissal of former members of the Navy and Marine Corps (except those discharged by reason of sentence of general court—martial), and has the authority to change, correct or modify any discharge or dismissal.
- c. <u>Naval Complaints Review Board (NCRB)</u>. The NCRB reviews those complaints, pertaining to NDRB decisions, properly referred by the Joint Services Review Activity. Additionally, the Board, by separate tasking, is responsible for ensuring compliance with reference (f) by providing oversight supervision in the preparation of decisional documents of the NDRB.

- d. <u>Naval Clemency and Parole Board (NC&PB)</u>. Per references (g), (h), and (i), the NC&PB reviews and makes determinations regarding clemency, parole, or mandatory supervised release in those Navy and Marine Corps cases properly referred. The Board also reviews and makes recommendations regarding departmental policy and procedures in clemency, parole, and mandatory supervised release matters in coordination with other military services and DON activities.
- 6. <u>Action</u>. The Director shall issue such instructions as are necessary to further define and implement the organization and mission of the SECNAVCORB.

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(Manpower and Reserve Affairs)

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